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October 4, 2021

BY ECF

Hon. Vernon S. Broderick
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RE: Andres Oballe v. Decker, 21-cv-3253 (VSB) (KNF)

Dear Judge Broderick:

On behalf of the petitioner in the above-captioned habeas case, I write to provide an update to the Court about the status of this case and to respectfully withdraw without prejudice petitioner's motion to enforce, which petitioner filed on June 17, 2021. *See* ECF No. 17.

Soon after petitioner moved to enforce this Court's May 6, 2021 Stipulation and Order, U.S. Immigration and Customs Enforcement ("ICE") released petitioner from detention on an administrative order of release on recognizance. *See* Respondents' Letter-Motion to Hold Briefing in Abeyance, ECF No. 20. The parties have conferred and have not reached an agreement as to whether this administrative order renders the underlying dispute moot. However, on September 30, 2021, ICE represented to petitioner that ICE has no intention to re-detain the petitioner at this time absent of a violation of ICE's administrative order of release on recognizance or the issuance of a final order of removal. Accordingly, and in the interest of judicial economy, petitioner respectfully withdraws his motion to enforce.

I thank the Court for its consideration of the foregoing.

Petitioner's request to withdraw without prejudice petitioner's motion to enforce, (Doc. 17), is Granted. The Clerk of Court is respectfully directed to terminate the gavel at docket entry 17. Additionally, the parties are directed to file a status update by on or before November 15, 2021 informing me whether or not the underlying action is now moot.

SO ORDERED:

HON. VERNON S. BRODERICK 10/6/2021
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ Julie Dona
Julie Dona

Counsel for Petitioner